

ITW

PATENT
Attorney Docket No. 226972
Client Reference No. 3643US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Englert et al.

Group Art Unit: Unassigned

Application No. 10/804,359

Examiner: Unassigned

Filed: March 19, 2004

For: ACOUSTICAL PANEL COMPRISING
INTERLOCKING MATRIX OF SET
GYPSUM AND METHOD FOR
MAKING SAME

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under

37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:

☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).

or

☐ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).

☐ **after** the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

☐ **after** the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

☐ Copies of all of the references listed on the enclosed Form 1449 are enclosed herewith.

☒ This patent application was filed after June 30, 2003. Accordingly, copies of U.S. patents and patent applications that are listed on the accompanying Form 1449 are not enclosed herewith (see Official Gazette Notice of August 5, 2003). Copies of other references identified on the accompanying Form 1449 are enclosed herewith.

☒ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).

☐ A copy of the foreign search report is enclosed herewith.

- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Statement under 37 CFR 1.97(e)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

- ☒ No fee is owed by the applicant(s).
☐ The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

In re Appln. of Englert et al.
Application No. 10/804,359

Method of Payment of Fees


- ☐ Attached is a check in the amount of \$.
☐ Charge Deposit Account No. 12-1216 in the amount of \$. (A duplicate copy of this communication is enclosed for that purpose.)

Authorization to Charge Additional Fees

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

Instructions as to Overpayment

- ☒ Credit Account No. 12-1216.
☐ Refund



Salim A. Hasan, Reg. No. 38,175
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

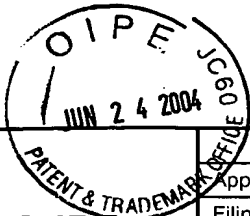
Date: June 21, 2004

CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: June 21, 2004 Jenny Beedles

+



Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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Application Number

10/804.359

Filing Date

March 19, 2004

First Named Inventor

Englert et al.

Group Art Unit

Unassigned

Examiner Name

Unassigned

Attorney Docket Number

226972

U.S. PATENT DOCUMENTS

Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		Application or Patent Number	Kind Code			
	AA	2,253,059		Camp	Aug. 19, 1941	
	AB	3,344,956		Gaffney	May 20, 1969	
	AC	3,359,146		Lane et al.	Dec. 19, 1967	
	AD	3,542,640		Friedberg et al.	Nov. 24, 1970	
	AE	3,819,388		Cornwell	Jun. 25, 1974	
	AF	3,871,952		Robertson	Mar. 18, 1975	
	AG	3,908,062		Roberts	Sep. 23, 1975	
	AH	3,989,534		Plunguian et al.	Nov. 2, 1976	
	AI	4,031,285		Miller et al.	Jun. 21, 1977	
	AJ	4,042,745		Cornwell et al.	Aug. 16, 1977	
	AK	4,077,809		Plunguian et al.	Mar. 7, 1978	
	AL	4,265,964		Burkhart	May 5, 1981	
	AM	4,488,932		Eber et al.	Dec. 18, 1984	
	AN	4,518,652		Willoughby	May 21, 1985	
	AO	4,551,384		Aston et al.	Nov. 5, 1985	
	AP	4,613,627		Sherman et al.	Sep. 23, 1986	
	AQ	4,630,419		Pilgrim	Dec. 23, 1986	
	AR	4,636,444		Lombardozzi	Jan. 13, 1987	
	AS	4,702,870		Setterholm et al.	Oct. 27, 1987	
	AT	4,804,688		Vassileff	Feb. 14, 1989	
	AU	4,899,498		Grieb	Feb. 13, 1990	
	AV	5,085,929	A	Bruce et al.	Feb. 4, 1992	
	AW	5,109,030	A	Chao et al.	Apr. 28, 1992	
	AX	5,148,645	A	Lehnert et al.	Sep. 22, 1992	
	AY	5,250,578	A	Cornwell	Oct. 5, 1993	
	AZ	5,277,762	A	Felegi, Jr. et al.	Jan. 11, 1994	
	BA	5,395,438	A	Baig et al.	Mar. 7, 1995	
	BB	5,496,441	A	Tran	Mar. 5, 1996	
	BC	5,612,385	A	Ceaser et al.	Mar. 18, 1997	
	BD	5,631,097	A	Andersen et al.	May 20, 1997	
	BE	5,641,584	A	Andersen et al.	Jun. 24, 1997	
	BF	5,683,635	A	Sucech et al.	Nov. 4, 1997	
	BG	5,696,174	A	Chao et al.	Dec. 9, 1997	
	BH	5,720,851	A	Reiner	Feb. 24, 1998	
	BI	5,824,148	A	Cornwell	Oct. 20, 1998	
	BJ	5,948,157	A	McKenney et al.	Sep. 7, 1999	
	BK	6,152,394	A	Sakata et al.	Nov. 28, 2000	
	BL	6,342,284	B1	Yu et al.	Jan. 29, 2002	
	BM	6,387,172	B1	Yu et al.	May 14, 2002	
	BN	6,401,414	B1	Steel et al.	Jun. 11, 2002	
	BO	6,409,824	B1	Veerasasuneni et al.	Jun. 25, 2002	
	BP	6,443,258	B1	Putt et al.	Sep. 3, 2002	
	BQ	6,481,171	B2	Yu et al.	Nov. 19, 2002	

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/804,359
				Filing Date	March 19, 2004
				First Named Inventor	Englert et al.
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	226972

U.S. PATENT DOCUMENTS						
Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		Application or Patent Number	Kind Code			
	B R	6,488,761	B1	Symons	Dec. 3, 2002	
	B S	6,494,609	B1	Wittbold et al.	Dec. 17, 2002	
	B T	6,613,424	B1	Putt et al.	Sep. 2, 2003	
	B U	2002/0045074	A1	Yu et al.	Apr. 18, 2002	
	B V	2002/0112651	A1	Yu et al.	Aug. 22, 2002	
	B W	2002/0139611	A1	Baig	Oct. 3, 2002	
	B X	2004/0026002	A1	Weldon et al.	Feb. 12, 2004	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Office	Application or Patent Number	Kind Code			Yes	No**
	B Y	JP	359030871	A	KK HOKUSHIN	Feb. 18, 1984		X ⁺
	B Z	JP	363295485	A	MATSUSHITA ELECTRIC WORKS LTD	Dec. 1, 1988		X ⁺

OTHER - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation	
			Yes	No**

Examiner Signature		Date Considered	
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- * A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).
- + An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).